

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims**

1-17. (canceled)

18. (previously presented) A method of replacing a portion of a disc of a patient, the disc having an annulus and a nucleus, comprising:

inserting an access device through an incision in the skin of the patient generally postero-laterally and advancing the access device until a distal portion thereof is located adjacent the spine, said access device being inserted in a first configuration having a first cross-sectional area at the distal portion thereof;

configuring said access device such that the distal portion thereof is enlarged from the first configuration to a second configuration wherein the distal portion extends across at least a portion of the disc;

advancing an annulotomy tool through the access device to the intervertebral space;

forming an aperture in the annulus;

advancing a disc evacuation tool through the access device and through the aperture;

removing at least a portion of the nucleus through the access device to at least partially evacuate the intervertebral space; and

delivering a replacement disc nucleus into the partially evacuated intervertebral space through the access device;

wherein the replacement disc nucleus comprises:

an ellipsoidal body having a convex top side for contracting and articulating with an end-plate cartilage of a top vertebrae and a convex bottom side for an immobile contact with a bottom vertebrae;

said convex top side having a dome crest that exceeds a dome crest of said convex bottom side by a factor of approximately three; and

a peg extending from said bottom side of the ellipsoidal body and providing for a pinning action with respect to said bottom vertebrae.

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Amendment dated JDECEMBER 10, 2007  
Reply to Office Action dated September 10, 2007

19-27 (canceled)